IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

**O R D E R**

**Ramesh and ors.**
**Vs.**
**State and anr.**

**SB CRIMINAL MISC.PETITION NO.1773/2006**
**under Section 482 Cr.P.C.**

Date of Order :- **8/9/2006.**

P R E S E N T
**HON'BLE MR.JUSTICE HARBANS LAL**

Mr. Rajnish Gupta for the petitioners.
Mr. Arun Sharma P.P. for the State.
Mr. D.K. Garg for the complainant-respondent No.2.
Accused-petitioners as well as complainants-non-petitioner No.2 are present in person.

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This petition under Section 482 Cr.P.C. has been filed for quashing of F.I.R. No.589/2006 P.S. Sanganer, District Jaipur for offence under Section 392 I.P.C.

The brief and relevant facts of the case are that complainant-Respondent No.1 and petitioner No.1 entered into an oral agreement for sale in respect of a plot for which an advance of Rs.11,000/- has been paid by the complainant to petitioner No.1. It was further agreed between them to handover the original papers of the plot to the complainant on receiving balance amount of Rs.70,000/-. But, despite receiving the full amount agreed upon, the petitioners failed to furnish the papers of the plot in question to the complainant. Thereupon, the complainant non-petitioner No.2 lodged a first information report being F.I.R. No.589/2006 for an

offence under Section 392 IPC with P.S. Sanganer, District Jaipur in which the investigation is going on.

It is contended on behalf of the parties that the parties have now arrived at a compromise.

The parties are present in court and have submitted a deed of compromise duly signed by them which be taken on record. They have also been got identified in court by their respective counsel.

Learned counsel for the parties have jointly submitted that now the parties have arrived at a compromise. Therefore, the criminal proceedings pending before the court below may be quashed so that there may not be any more bitterness between them and they may live their life peacefully. They have submitted on the strength of **B.S. Joshi & Ors. Vs. State of Haryana and another- [2003 RCC (SC) 400]** that the High Court in exercise of its inherent powers can quash criminal proceedings /F.I.R. / complaint and Section 320 Cr.P.C. does not affect or limit the inherent powers vested in this Court under Section 482 Cr.P.C.

Keeping in view the law laid down by their Lordships of the Hon'ble Apex Court in the aforementioned authority and considering the facts and circumstances of the present case, the criminal proceedings pending between the parties in the court below deserve to be quashed for securing the ends of justice.

In the result, this criminal misc.petition u/S.482 Cr.P.C. is allowed and F.I.R. No.589/2006 P.S. Sanganer, District Jaipur for offence under Section 392 I.P.C. is quashed and set-aside.

**(HARBANS LAL), J.**

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IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

**O R D E R**

Mohd.Aslam and anr.
Vs.
Smt.Salma and ors.

**S.B. CR.MISC.STAY APPLICATION NO.1341/2006**
**IN**
**SB CRIMINAL MISC.PETITION NO.1119/2005**
**under Section 482 Cr.P.C.**

Date of Order :- **4/9/2006.**

P R E S E N T
**HON'BLE MR.JUSTICE HARBANS LAL**

Mr. M.I. Beg for the applicants-petitioners.
Mr. Arun Sharma PP for the State.
Mr. Mohd.Anees for the respondents.

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**BY THE COURT:-**

Consequent upon disposal of the main petition today itself, this stay application has become infructuous.

As such, this stay application under Section 482 Cr.P.C. is dismissed as having infructuous.

**(HARBANS LAL), J.**

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